AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims:

Claims 1-29 (**Cancelled**)

30. (**Currently amended**) A method for assessing the risk of a human patient having ~~breast, colon, or prostate~~ colon cancer ~~in a human patient~~ comprising:

a) determining [[the]] a level of a nucleic acid and a level of at least one molecular marker gene in a patient sample comprising human ~~breast, colon, or prostate~~ colon cells, said nucleic acid comprising [[a]] the nucleotide sequence ~~having at least 95% sequence identity to~~ of SEQ ID NO: 23702[[,]]; [[and]]

b) comparing said level of the nucleic acid in (a) to a control level of the nucleic acid ~~in a second sample, said second sample comprising a negative control comprising non-cancerous human breast, colon, or prostate cell tissue~~ ; and

c) comparing said level of the at least one molecular marker gene in (a) to a control level of the at least one molecular marker gene;

wherein ~~an increase of at least 50%~~ at least a two-fold increase between the level of the nucleic acid in (a) and the control level of the nucleic acid ~~in the second sample~~, and a change in levels of expression between the level of the at least one molecular marker gene in (a) and the control level of the at least one molecular marker gene indicate[[s]] that the patient has an increased risk of having ~~breast, colon, or prostate cancer; wherein the nucleotide sequence at least 95% identical to SEQ ID NO: 23702 has the same expression profile as SEQ ID NO: 23702~~ colon cancer.

31. (**Cancelled**)

32. (**Currently amended**) The method of claim 31 wherein the at least a two-fold increase is at least ~~200%~~ a five-fold increase compared with the ~~negative~~ control level of the nucleic acid.

Claims 33 - 37 **(Cancelled)**

38. **(New)** The method of claim 30, wherein said determining step uses a polymerase chain reaction.

39. **(New)** The method of claim 30, wherein said determining step uses hybridization.

40. **(New)** The method of claim 30, wherein said patient sample is a sample of tissue suspected of having cancerous cells.

41. **(New)** A method for assessing the risk of a human patient having breast cancer comprising:

a) determining a level of a nucleic acid and a level of at least one molecular marker gene in a patient sample comprising human breast cells, said nucleic acid comprising the nucleotide sequence of SEQ ID NO: 23702;

b) comparing said level of the nucleic acid in (a) to a control level of the nucleic acid; and

c) comparing said level of the at least one molecular marker gene in (a) to a control level of the at least one molecular marker gene;

wherein at least a two-fold increase between the level of the nucleic acid in (a) and the control level of the nucleic acid, and a change in levels of expression between the level of the at least one molecular marker gene in (a) and the control level of the at least one molecular marker gene indicate that the patient has an increased risk of having breast cancer.

42. **(New)** A method for assessing the risk of a human patient having prostate cancer comprising:

a) determining a level of a nucleic acid and a level of at least one molecular marker gene in a patient sample comprising human prostate cells, said nucleic acid comprising the nucleotide sequence of SEQ ID NO: 23702;

b) comparing said level of the nucleic acid in (a) to a control level of the nucleic acid; and

c) comparing said level of the at least one molecular marker gene in (a) to a control level of the at least one molecular marker gene;

wherein at least a two-fold increase between the level of the nucleic acid in (a) and the control level of the nucleic acid, and a change in levels of expression between the level of the at least one molecular marker gene in (a) and the control level of the at least one molecular marker gene indicate that the patient has an increased risk of having prostate cancer.